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. . . . The 77th meeting of the CIA RETIREMENT

BOARD convened at 2:00 p.m. on Tuesday, 2 January 1968, in the D/Pers
Conference Room, with the following present:

25X1

Mr. Emmett D. Echols, Chairman

[Redacted]

DP Member
DDP Member
Member

25X1

Mr. Roger G. Seely, DDI Member

[Redacted]

T Member
S Member
Legal Adviser
Executive Secretary
Recording Secretary

25X1

Guest: [Redacted] Chief, BSD/OP

MR. ECHOLS: We will look at the minutes of the last
meeting. Any additions or corrections? (No response.) The minutes
are accepted as presented.

On the minutes of the Special Meeting on 11 December,
I have with me today a revised procedure which, if it is agreeable with you,
would permit us to get going on the [Redacted] case again -- but I would like
to present that later.

25X1

We have cases today of seven individuals who have
their 15 year option--

25X1

[Redacted]

I move we offer them an election.

Support it.

. . . . This motion was then passed

MR. ECHOLS: Under B, one individual--

25X1

[Redacted]

I move we offer him an election

when the time is ripe.

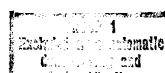
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[Redacted]

Second.

. . . . This motion was then passed

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MR. ECHOLS: Then we have six individuals who meet the requirements for initial designation.

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[] I move we designate.

MR. SEELY: Support it.

. . . . This motion was then passed

MR. ECHOLS: Case No. 3 requests that we consider a person who is lacking some overseas service by recognizing JMWAVE service which would give her more than the 60 months required.

25X1

[] Emmett, in a number of cases of this kind we are approaching, at least, some other cases of people becoming eligible for a discontinued annuity because of the actual abolition of the job. I would point out that this lady as of March 27, 1968, is eligible for a discontinued annuity without a reduction, and my feeling is she ought to be advised to apply for a discontinued annuity. In other words, at age 55 she will have more than 20 years of service--

25X1

[] Is the age 55 where discontinued service is--

Under the new law, yes.

MR. ECHOLS: Well, it always was 25 years of service, regardless of age, and 55 with 20 -- and then the Agency has to discontinue the person's service -- he has to be found to be surplus.

25X1

[] Of course the question here is whether it's under the Civil Service or the Agency system, isn't it? And in view of the recent precedent involving some ladies in the DD/P, I would think she comes under the heading that it's in the best interests of the Agency to retire her, despite the fact that she doesn't meet the technical qualifications of the overseas time. But I don't think this is an exceptionally good case on which to decide for once and for all whether JMWAVE service

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should be credited or not.

25X1

[] For that reason I agree with Gerry,
if there is another way to accomplish the wishes of management -- because
this is a very weak case for this to come up in--

MR. ECHOLS: As I see it, the point here that bothers
me is if she is found eligible and put into the CIA system she can be
involuntarily retired, let's say with essentially no argumentation and no
defense, whereas under the Civil Service System she has certain rights,
you might say, which are a little bit stronger.

25X1

Gerry, is she willing to be retired? do you know?

[] I assume so.
She is if she is under the Agency System.
It says here she has indicated a desire
to retire upon completion of her present tour, and the reason that is given
is that she will be required to care for her invalid mother, who currently
resides in Tampa.

25X1

[] But in her memo she inquires whether
she can be retired under the Agency System.

MR. SEELY: She might have been unaware of the fact
she could retire under a discontinued service annuity and so the Agency's
System was the only way she could get out.

25X1

[] I'm sort of with the second part of
your statement -- I mean, WH hasn't really helped us by saying in 1962
and 1963 the nature of her work was such that we could stretch it --
because if we give it for this then we are almost opening the door - that
this service in Miami period is qualifying at retirement. The option--
Well, it will cost her three and three-quarters percent.

25X1

[] Well, the option here is an employee
that is not willing to follow a job. Most people would be sacked on that
score.

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25X1 [] I don't think it's clear -- if she is given that alternative she may say, "I'll move back to Washington and bring my mother with me." Her words don't say, "I'm going to retire one way or the other."

MR. ECHOLS: The DD/P is not making or has not made any proposal that all JMWAVE employment be considered qualifying.

25X1 [] No. We considered it here and the Board said no.

25X1 [] On the other hand, we had the two cases -
25X1 [] - where despite much less overseas service than this they were retired under the Agency System.

25X1 [] They had no other option, though.
[] I don't know that that was ever explored --
I don't think we ever explored the question of an option or not--

25X1 [] But I'd say keep those kind of cases to the very bare minimum.

25X1 [] There is a little bit of difference -- this woman was a finance officer, and I think "finance officers" were the words we used, that certainly they couldn't be considered to be engaged in a very unusual type of thing--

25X1 [] Yes, that was half the decision, I would say -- we did select certain types of people we wouldn't consider, but we left it open in the case of others, so I don't think we came to grips with the issue at all.

MR. ECHOLS: Am I correct, then, that our prior conviction is that JMWAVE service per se is not qualifying service, that it would be improper to even consider it as being qualifying on the basis of 11(c) -- it would seem to me that the Director looks at a person's overall career -- and this woman has not been deeply involved in clandestine activities like some of the others in that category.

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25X1

[] I think it's entirely possible that there are going to be other people from Miami who, based on this phase-out, may well want to retire, and we may be reaching - from a management standpoint, trying to declare their duty qualifying, to let them out. Hopefully, we will be able to identify them, as we did [] very early as - "Yes, there was a difference in their type of activity" -- which we are not finding in the case of this woman.

25X1

This is a tough one, I agree. We kind of stretch it a bit to suit ourselves.

25X1

[] There seems to be a hiatus in her record. Did she leave JMWAVE in August of 1965, come back to Headquarters until April of 1966, and then go back to JM WAVE? And if she did, my next question would be: Did she go back because her mother was ill, and she was sent back for that purpose.

25X1

[] She was in JMWAVE from (1961) to 1965 -- then there's a Headquarters Fitness Report for the period from 29 August 1965 to 31 March 1966 -- and then she went back to JMWAVE again.

25X1

[] So she was here for a period of eight months and then went back to JMWAVE. Do we know why she went back to JMWAVE? Was it because her mother was ill, and we did her a favor by sending her back?

MR. ECHOLS: She sent this memo dated 5 April 1966.
(Mr. Echols then read this memorandum to the Board.)

I think this makes it pretty obvious that she wanted to return to Florida.

25X1

[] And she did accept a lower grade - grade 7.

MR. ECHOLS: Yes, she did accept a reduction in grade to do so.

25X1

[] We may not have a problem here at all --

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she may want to retire under Civil Service, if that is what the guidance from Headquarters is. It almost seems that that ought to be ascertained before we decide whether we have to set precedent--

MR. ECHOLS: I think she merely would like to retire in the system that is most advantageous to her. We can't really ask her--

25X1 [] You can tell her - "Well, we can work out an involuntary separation in March under Civil Service."

MR. ECHOLS: Yes indeed.

Well, I take it the consensus is that on the basis of any presentation made so far on JMWAVE service, it is not qualifying, in our opinion. We think she should be advised and counselled that if she wants to retire, she will soon be relatively surplus and we can probably arrange it for her to receive a discontinued service annuity under Civil Service -- and see if she responds favorably to that, and if she does, I think the problem would evaporate.

We will go back administratively and find out from this individual if it is retirement, per se, that she is really after, and perhaps doesn't know she can have--

25X1 [] And if, as Harry says, sometime in the next month or so we should bring in a group of cases to be considered as simply an administrative means of meeting the situation down there, why she could certainly be included -- so let's leave it go at that.

MR. SEELY: If that is done, I think we ought to know what her duties are.

25X1 [] (Continuing): --and reversing this thing with the next case, we as management are a little more interested in letting some people out. I know the answer always is the same - that it's a case-by-case study. And we all know we are going to have cases where we are going to want to give credit - six months, five months, nine months - for duty here -- but those of us who are alert to it will write it up in such a

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way that it will sound like this is honest-to-God support to clandestine services abroad. I wish they could think of something--

25X1

[redacted] Even at that I think we ought to go awfully slowly if other options are open, as they are in this case.

MR. ECHOLS: Case No. 4, [redacted]

25X1

25X1

[redacted] It's a very difficult one. I think I can explain -- I'll tell you as much as I know, and if you feel it takes a little more digging, we can carry it over. I did leave it with [redacted]

25X1

to get me some more information on this one, and then we got into the Christmas holidays, and he was gone. My understanding is that all

along we have been trying to get [redacted] into the System -- for

25X1

some time -- and, as you certainly know, the records for DPD or OSA are pretty bad, in terms of identifying travel -- they just don't seem to

exist. All along throughout this period I thought we were trying to

identify the fact that he had sort of eight/^{more}months of qualifying TDY, which would have given him the difference between the 52 that is qualifying and

the 60 that he needs. It turns out that he is really asking for more than

25X1

that. He was [redacted] with one of the OSA teams, and things got hot

25X1

[redacted] and they decided to pull this whole PCS contingent back to [redacted]

25X1

25X1

[redacted] And there they were in a peculiar status - they were [redacted]

25X1

pending being able to safely get back there. In the meantime they operated

25X1

[redacted] as if they were [redacted] with none of the privileges of

having really been assigned [redacted]

25X1

During that time he made approximately three months worth of TDY -- and this I'm personally knowledgeable of, and he has had a few people who have signed statements to this effect. Again, I couldn't

begin to say that he spent three weeks at [redacted] and four weeks at

25X1

[redacted] but I knew he was running back and forth. He has a few witnesses

to the fact that the statement made by him is generally accurate.

So even if we accept the three months TDY, which

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brings him up to 55 months or so, you then still have to accept the fact that during this peculiar status of his [REDACTED] that he was truly in what would be considered qualifying service. I'm just not clear on it myself.

25X1

MR. SEELY: Five months?

25X1

[REDACTED]

No, we have sort of three months of TDY

we can pretty well (document).

25X1

[REDACTED]

Isn't this sort of like TDY out of the

25X1

[REDACTED]

25X1

[REDACTED]

It's a little like that. It's a very peculiar

sort of thing. As he points out, they didn't ship back his household effects, and he didn't get leave--

MR. SEELY: Was his permanent station

[REDACTED]

25X1

all of that period?

25X1

[REDACTED]

Yes.

I don't see any recommendation here

from the Career Service on this man.

25X1

[REDACTED]

Well, you have a recommendation signed

by Jack Coffey -- it's on the form.

25X1

[REDACTED]

Why is there an action now -- is he

going to retire?

25X1

[REDACTED]

No.

MR. SEELY: Is he going overseas again?

25X1

[REDACTED]

Well, I feel very sympathetic, in many

ways. You see, he hasn't done very much PCS but he is with these teams that go out under rather difficult conditions and do the special operations, and he has practically lived on the road over the last few years with this type of trip. And I think he has a medical problem now that is going to make it a little tougher for him to take these trips, and it's becoming rather

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critical to him whether he has made the CIA System or hasn't made it. He has always been one of the most willing to go out on these six week trips.

25X1 [] In 1966 we had [] case, 25X1
 where he was still under orders from [] came back to the states 25X1
 and then died here, and we chose in that case to include that service out of
 25X1 [] -- PCS orders had not been received which changed that assign-
 ment. It would almost seem that this case would fit that sort of thing, 25X1

where he could still technically be considered under PCS orders to []
 25X1 [] That went through my mind when I read
 this.

25X1 [] I'm curious why you call it domestic
 25X1 service, because he was []

MR. SEELY: ... (inaudible)...

25X1 [] The only other thing I could say is that
 these assignments themselves --

25X1 [] That TDY is murder!

25X1 [] (Continuing): -- usually mean living in

25X1 [] In every sense
 of the word he has been more of a DD/P type than most communicators.

25X1 [] Was the type of work he was doing
 the type that he just wouldn't describe to somebody on the outside?

25X1 [] Yes -- it was very sensitive.

25X1 [] I have no problem with this case at all.

MR. ECHOLS: He was sort of on stand-by here and
 going out--

25X1 [] Going out three, four times a year --
 and his bag is practically packed all year--

25X1 [] Like the Security escort officers, and
 people like that.

25X1 [] Excuse me -- I'll have to leave now.

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Did you have any other items that were crunchy?

MR. ECHOLS: No, I don't believe so.

25X1 [] Then if I may be excused. And I
would vote yes on this case we have been discussing.

25X1 [] withdrew from the meeting

25X1 [] You say this man is not going to retire?
or will he retire if he gets this?

25X1 [] He may. It gets kind of hairy --
there's his wife and himself, and he would cease being as useful to us if
he can't continue leading this hectic life that he has led, and I rather gather
he may be ready to pull out if he is elected--

25X1 [] Under the Act, Harry -- not the
Regulation but the ACT -- I think you could justify this case without any
trouble at all.

25X1 [] es, I really think so.
The sensitivity of his job, plus
his record which shows that his bag is packed all the time -- he's on the
go on this thing. I have no trouble with this case.

25X1 [] Well, I'd like to make a recommendation
25X1 that his peculiar duty while [] be
considered as qualifying service -- that is seven months.

25X1 [] I'd just say that he qualifies for the
CIA System.

MR. ECHOLS: Yes, I wouldn't pin it down too much.
It seems to me from the record that from 1957 to 1967 this man has been
involved in delicate work and subject to shipment overseas anytime, with
interruptions in his personal life and so on.

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25X1 [] My only question would be, why act on it now? unless he's going to put in a request for retirement if he feels he can get into the Agency System.

25X1 [] You see, we are sort of recommending it on the basis we think this qualifies him -- this recommendation has come to this Board, and we can't ignore it -- I think we would have to say it is not qualifying service, or it is. Now if I get you (indicating [] 25X1 right, you are saying - why not defer this--

25X1 [] In the past we have said we will consider such a case when the request for retirement is imminent.

25X1 [] But isn't this a classic case of operational support of clandestine activities overseas, in the purest sense of the statutory language?

25X1 [] Even during those seven months he was
25X1 [] he was really literally out and back each time they were going to have an operation -- at that time it was a different operation -

25X1 [] and every time they were going to stage out, he moved to the staging area.

25X1 [] Are you saying, Joe, in effect, that since his first TDY overseas in 1957 he has been in this sort of status right along, and that any or all of that is required to be counted as creditable service?

25X1 [] That his whole period of service as related here is qualifying service.

25X1 [] And Joe is saying that seven months
25X1 spent [] was not the conventional operational service but was truly in support of clandestine activity.

25X1 [] Or like sitting here at Headquarters--
[] He didn't have the comforts of normal living.

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25X1



I think what I am still fishing for is

some indication of whether we are taking this action at the Office's initiation or the individual's initiation. Why are we considering this one? Are there other people like this, in other words, that aren't being sent forward by their offices and that we ought to be considering? Why this one out of what I would suspect are 10 more like this?

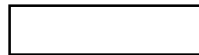
25X1



I would assume it was because he

said his medical situation was such that he may not be able to pick up the additional qualifying service. And I felt just as you feel, Karl -- I said I'd give him those three months, which would make it 55-plus, and I thought to myself - one more year and he's going to get his 60 months, without any question -- he could get it from overseas service. But in light of the question raised here that his health is such that there is some question of whether he would even be able to make a TDY trip from now on, I think we could consider this case at this time so that he would know what to expect.

25X1

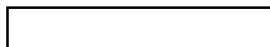


I guess if I were to give you the

sequence of events, we started off by saying that everybody that has 15 years and 60 months we're going to put in. And he said, "I think I have it" -- and we said, "No, you don't" -- and he said, "Yes, I was really" and so we got into this thing. When we finally documented it, it looked like - if this was a valid statement, he did have 60 months, and the case was more routine. Now on the other hand, if you're saying this is domestic service and we are considering it qualifying, then we're sort of doing something for him that we haven't consistently done--

25X1

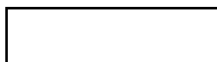
25X1



We are going a little beyond the

cases to date.

25X1



I think we ought to just act on this case

without prejudice to what we do in any subsequent case.

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MR. ECHOLS: It seems to me we ought to have a memorandum from the Director of Communications making the case that this individual's domestic service during such and such a period of time should be considered qualifying for the following reasons -- and then give the reasons why he thinks it should be qualifying. You (indicating Mr. [redacted] have already given us half a dozen reasons -- the nature of the work itself, the fact that he was on call at all times, the fact that you stuck him off at [redacted] are all pretty good reasons.

MR. SEELY: And I think the fact that his post of assignment [redacted] during much of that period -- it was for reasons beyond his control that he was not actually [redacted] I agree with Joe that certainly this is a clear-cut case of support of clandestine operations abroad, and I wouldn't have any problem recommending it on that basis.

[redacted] I would recommend, Emmett, consideration of not approaching the domestic service question in this case, if you can avoid it. Here you have an individual who was assigned overseas for "x" period of time, and there is no question that during that entire period of assignment his work was completely and totally in support of overseas operations. It's incidental that during that period of time he was TDY [redacted] no leave--

MR. ECHOLS: Does that period of time cover sufficient months to bring it up to 60 months?

[redacted] Yes, 60 months and one day.

Let me ask you, though, when was his tour of duty at [redacted] terminated? I got the impression it was terminated in March of 1961.

[redacted] March, 1961, it says here.

He was sent back there in June of

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1960?

25X1 [redacted] July, 1960.

[redacted] Now I got the impression from the record here that it was finished in March of 1961 and he came back to Headquarters.

25X1 [redacted] Right.

[redacted]: Well, if you look directly opposite that, he has been given credit for that whole period - the 33 months and 19 days. You see, he was overseas for two years. It was then that they transferred him to [redacted] in July, 1960. Now he was there until March, 1961--

25X1 [redacted] Look on the first sheet there, though. There's a total of 52 months and 11 days. Then if you pick up the seven months and 20 days, that gives him the 60.

25X1 [redacted] The seven months and 20 days are over and above any of the 52 months, 11 days?

25X1 [redacted] That is right.

MR. ECHOLS: I think I like your suggestion better, Joe, without going into the details of domestic qualifying service.

25X1 [redacted] We're going to have to come to grips with that one little by little, I think.

MR. ECHOLS: Anybody have any objections to this case?

25X1 [redacted] No, but I'm just wondering how many other cases are floating around that for one reason or another aren't being considered.

25X1 [redacted] A good many. The last six months of his extension

25X1 just happened to be [redacted] through no fault of his own. You see,

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he was there two years, and he extended for a year and did about four months of it when it was decided that because of the riots they should be pulled back.

25X1

[] We have ... (inaudible)...
if you approve this case.

25X1

[] I can tell you OSA would like to come forward like JMWAVE has done and have you consider that their service at both sites is of such a nature, because of the cover, as to qualify as domestic qualifying service. They also know that they are unable to identify all of the people who have ever worked with this project from the time when it began with Bissell working out of Mr. Dulles' office all the way through until it was identified as OSA. I have given [] all of their organizational titles, so every time one of these titles shows up we will identify it -- because they have lost their T/O's, their manning tables, and so on -- but they strongly feel that that service, per se, at both of these sites, because of the rigid security and (inaudible) ... qualifies.

25X1

25X1

[] I agree, and I know about the boys at [] and so on, but at least they are PCS there and have their families there. I do think we are making a little distinction here in this one, as we are considering it. Now I'm not saying you might not have a fellow who was also [] who was brought back--

25X1

25X1

[] It would be helpful if you didn't make a distinction and went right to [] on its own merits - does it qualify? Now if you have difficulty, then fine -- because I think people are asking us for guidance on this particular thing.

25X1

25X1

[] This is why I still prefer to treat this as an individual case. And there was a reason why we were considering it -- just to avoid the sort of thing you (indicating [] are talking

25X1

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about. I don't think anybody is prepared yet with the facts and figures in OSA, as far as I know, to come forward with this kind of recommendation - a blanket inclusion.

25X1 [] Let's take [] for a minute. The 25X1
 25X1 families reside [] - and I think this is fairly general for all
 of them, the boys leave Monday morning and they live [] through 25X1
 Friday, and Friday they return to their wives. Now this is not normal
 government service, and I think they have a good basis for appealing. But
 that is not what we are considering right now, I don't think.

25X1 [] They are all on TDY to [] 25X1
 25X1 They're [] and they are on TDY when they leave, so they
 are all in TDY status.

MR. ECHOLS: Let's do two things. I'd like to invite
 OSA to make a case for this type of duty at [] We 25X1
 might as well go over it all at once. But I also think we can handle this
 case today as an individual case, on the basis of what we know about it.

DR. WEBER: I'd be glad to talk to the people down
 there -- but you (indicating Mr. Echols) should officially ask them, I
 guess.

MR. ECHOLS: How far is [] 25X1

MR. DE FELICE: [] 25X1

MR. ECHOLS: It really is a special service--

MR. O'NEILL: It's such a highly classified situation --

25X1

25X1

[] And all you have to do is look at
 the casualties we've had to see how really sensitive this thing is, because

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we have to go through some of the most complicated procedures to protect them -- and we can avoid that with [REDACTED]

25X1

We have to develop the most sophisticated kinds of devices for this group.

25X1

[REDACTED] Yet it seems to me it's in a somewhat different bracket than JMWAVE -- and they can argue they need many of the same sort of requirements -- but this is one which pretty consistently--

25X1

[REDACTED] This one meets security isolation, hardship--

25X1

[REDACTED] JMWAVE doesn't meet those--

25X1

[REDACTED] Why doesn't it? I don't know that we have really argued that out.

25X1

[REDACTED] Just from my visits to each, I know the families live a pretty normal life -- unless the guy was ducking down dark alleys.

25X1

[REDACTED] Again, I think we have to be prepared to go rather deeply into these aspects in both cases if we're going to make--

25X1

MR. ECHOLS: Of course the JMWAVE argument was that they were conducting foreign intelligence operations from a domestic [REDACTED] but aside from these two things, life was pretty normal for the individual domestically.

25X1

[REDACTED] I don't know that the Board ought to go around fishing for business. I mean, we are here to react to proposals made by competent line officials, and until they are proposed, I don't see why we should go digging.

25X1

[REDACTED] I have already done what you thought the Board might do -- in talking this over with [REDACTED] I asked him to come up with a real case -- this Board has always said, "We don't want to talk about categories -- give us a case, the Board will look at it and decide." So they are actually looking for a case where retirement might be imminent, and some of the other guidelines you have given in a case. And I think you

25X1

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can wait for that case to come in and it will have all of the ingredients.

Then you're going to have to wrestle with service at that site.

25X1

[REDACTED]

With whom did you deal there?

25X1

[REDACTED]

MR. ECHOLS: Shall we act on this case, then?

25X1

[REDACTED]

I move that this case be accepted.

. . . This motion was then seconded and passed . . .

MR. ECHOLS: Now, Item 5.

We sent up a case in which we had recommended the extension of a woman who was already I think 65 years of age, and the justification for the extension was she needed 12 years of service in order to qualify for post-retirement benefits, and the Executive Director refused to act on the case but demanded more information. He wanted to know how come these cases happen, and how many more are there? So we prepared this little report here, an explanation which I thought you ought to read.

26 December 1967

MEMORANDUM FOR: Deputy Director for Support

SUBJECT : Requests for Extension of Service

REFERENCES : (a) Note fr Executive Director Attached to Memo fr DDS to Director, dtd 28 Nov 67, Subj:Request for Extension of Service [REDACTED]
(b) Memo fr DDS to D/Pers, dtd 13 Dec 67, Subj: Requests for Extension of Service

25X1

1. This memorandum is for your information only.

2. Reference (a) requested an explanation of our current policies regarding the hiring of older employees. It also sought information on the number of Agency employees who may possibly request extensions of service in order to complete the 12 years of Federal service which are required for eligibility to continue, after retirement, the Federal Employees' Group Life Insurance and the Government-sponsored hospitalization insurance. Reference (b) reflected the Director's particular concern over the number of individuals within this category of employees who are known collectively as "gray ladies".

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25X1 3. An informal policy was established in 1958 or 1959 following discussions between the Director of Personnel and the Deputy Director for Support which limited the Agency's recruitment to individuals who at age 60 would be eligible for a full (30-year) Civil Service annuity or its equivalent. This meant that the input age of new employees would not exceed age 30 plus any previous years of employment which were covered by Civil Service Retirement or another retirement system and in which the individual would have a vested right by age 60. This was a general policy and exceptions were permitted to fill recruitment requirements in scarce categories, including clericals on occasion, and on an individual-case basis for especially well-qualified applicants. [] was hired in 1957 and was not affected by this policy.

4. The institution of this policy has effectively stopped the flow of over-age individuals into the Agency and has permitted the natural attrition rate to rapidly reduce the numbers of our employees who would require extensions of their service in order to complete 12 years of Government employment and qualify for post retirement insurance benefits. As of June 1967 (latest date for which data are available) there were 12 employees in this category. Of these, six are on already approved extensions: (one on need for services, four on compassionate grounds, and one specifically in order to complete 12 years of service thereby qualifying for FEGLI and Health Benefits on retirement). Requests for the remaining six have not been submitted but can be expected to be forthcoming in due course.

5. Five of the 12 employees discussed above appear to be so called "gray ladies", i.e., upper middle-aged women who were deliberately hired in order to fill a number of low-level positions in which the turnover rate had been excessive when younger women were employed therein. Savings in hiring and training costs warranted these exceptions to the general hiring rule.

6. Broadening our review to look at extensions generally, we find that there are 76 employees currently on the rolls beyond retirement date. Of these:

- a. CIA Retirement System - 10
- b. Civil Service Retirement System - 66

25X9 (1) [] are employed in ONE [] performing 25X1
duties which have been exempt from the policy.

25X9 (2) [] have been extended on the basis
25X9 of need for services and [] for compassionate grounds.

7. We are listing below numbers of employees expected to retire under either the CIA or Civil Service Systems for the years 1968, 1969, and 1970. Our summary also includes employees on approved extensions through those years. It is not possible to predict how many of these employees scheduled to retire will be extended by the Agency on need for services or how many will find it necessary to request extensions based on compassionate grounds.

- a. 1968

- (1) CIA - []
- (2) CSC - []

25X9

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b. 1969

[Redacted]

25X9

c. 1970

[Redacted]

25X9

The importance ascribed to the Agency age retirement policy and the firmness with which it is administered will heavily influence the numbers of requests for extensions to be considered.

(Signed) Emmett D. Echols
Director of Personnel

25X9 MR. SEELY: In paragraph 6 it says, "we find that there are [Redacted] currently on the rolls beyond retirement date." Beyond the policy date?

MR. ECHOLS: Yes.

25X1 [Redacted] They are not [Redacted] any more, are they?
I think that is Roger's whole point. It is strictly [Redacted] I assume.

25X9

25X9

MR. SEELY: My point was the statutory retirement date and the policy retirement date are two different dates.

MR. ECHOLS: Incidentally, we have just made up a name list of all these individuals that we have talked about, and they are not listed by Directorate, but I have a hunch that we will recast this thing just to give each of the Directorates a little refresher as to what their cases are.

25X1 [Redacted] That would be very helpful.

Yes, that would be very good.

MR. ECHOLS: Because it would help in your planning, and if you are going to come back for another extension, do it on a timely basis. So we will do that.

25X1 [Redacted] I don't find any great surprise in here.
Well, the query to you (indicating

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Mr. Echols) was based more on how did we get into this situation, rather than specifically proving--

MR. ECHOLS: Yes. Normally when we bring in people now who will not have a 30 year annuity at 60, we will hire them on a reserve appointment for five years period, and when that is over they have had it.

25X1 You are still thinking about 60/30 even though they could retire with 25 years of service--

MR. ECHOLS: 60/30, yes.

Okay, that was just a little report.

Now we have this chart showing the procedures for processing involuntary separation cases.

(NOTE: Above-referenced chart is
attached to the next page in this
transcript - page 22.)

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MR. ECHOLS: You will recall (we wanted our

25X9

[redacted] ... (inaudible)...

to be no less protective of the individual's rights than our normal involuntary separation Regulation. So we tried to evolve comparative procedures which were comparable step by step. The left-hand column on this chart represents our procedures required by [redacted] for involuntary separation cases. The center column represents our first attempt at comparable procedures, in which we detected a bug the last time we saw this thing. And the third column -- which is what I would like you to agree to today -- is our proposed new procedures for involuntary retirement of participants in the [redacted]

25X1

25X9

MR. SEELY: This refers only to involuntary retirement and not to other involuntary separation?

MR. ECHOLS: Yes, this is involuntary retirement under the CIA System only.

Now, the case at hand is that of [redacted]

25X1

25X1

[redacted] As you remember, we went over the case and read the recommendation of the DD/P. In recapitulation remember that she is a highly disaffected person, and has been ever since [redacted] She has been insubordinate, insulting to her supervisors, she has refused to take jobs -- has refused to take certain assignments on the grounds that they were more demanding of her than her meager salary warranted. She is an extremely difficult and disruptive personality in an office, and they find her hard to use because she's uncooperative, and so on. On this basis they would like to see her involuntarily retired.

25X1

My point is that if the Board is sufficiently satisfied that the evidence warrants looking at the case, we would be right in the middle of paragraph 4 here in the right-hand column. (Reading) "The D/Pers will present the recommendation of the Head of the Career Service with a report of his review of the case to the CIA Retirement Board for

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their consideration and advice." I did that at a previous Board meeting -- I read to you the DD/P's presentation, and I read to you my review of the case which I sent up to the Executive Director at that time -- and this would appear to be required by the Regulation.

Then we come to this: "If the Board tentatively concludes that the employee should be involuntarily separated, the Chairman should then notify the employee of the Board's intention so to advise the D/Pers and notify the individual of his right 'to be heard', orally or in writing, by the Board before the Board makes its recommendation to the D/Pers."

So, unless you want to review that whole material again in order to reach your tentative view, I could pick up the case right now and advise the employee the Board tentatively thinks there is a case here for involuntary retirement, the Board intends to review the case, and invite her to come in and make any presentation she wishes in her own defense - mitigating factors, and so on. In going to the employee and telling her, I feel that I must give her in broad language the basis for the case against her -- and I would do so in broad words, because I dare not use words like guilty of insubordination to a degree that warrants retirement, because insubordination would warrant firing and then we would have to go the other route -- but I would have to word my general basis for the case in broad terms of usefulness to the Service, and so on.

25X1 You don't even feel that you could let her know the alternatives if she doesn't accept involuntary retirement?

MR. ECHOLS: If she doesn't accept it? -- she would just be involuntarily retired. What other alternatives are there?

25X1 No, but I think the fact that if you went all the way you would be separating her for cause--

MR. ECHOLS: Yes, I could tell her the Agency has an alternate course of action it could take but that we don't want to take that

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one, and maybe on that premise she will not put up any fight -- although she has indicated that she will, and I think she will come in and give us a real good show.

25X1

[] She is 50 with her 10 and 5, and is under the CIA System?

MR. ECHOLS: Oh yes!

25X1

[] If she elects to come before the Board to present her case, as she probably will, then I assume we will have another opportunity to rehash the case to bring ourselves up to date before we hear her.

MR. ECHOLS: Oh yes, I would give you all the information before that.

So, if that is agreeable? Joe, does that sound all right to you?

25X1

[] One thought that is completely aside from this Board is Representative Irwin's insistence that such an individual be provided counsel in the first instance. It has nothing to do with this Board or the Agency's Regulation or activities. I don't have enough of a feel to know what kind of a fight she is going to make, whether it's going to be an internal fight or external fight, or how best to protect our flanks.

MR. ECHOLS: I don't know what we can do about it other than to carefully forge ahead and see what happens.

25X1

[] She can't very well bring in outside counsel of her own choosing.

25X1

[] I guess you (indicating [] are saying or implying it would be good for the record if we could say that someone told us she was entitled to counsel.

25X1

MR. ECHOLS: I will certainly tell her that she can appear herself or she can ask for any witnesses to come in from the Agency to contradict or otherwise refute the allegations against her.

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25X1

[REDACTED]

You (indicating

[REDACTED]

25X1

mentioned this has nothing to do with this Board or with the Agency. To what is it related?

25X1

[REDACTED]

Related to possible real problems

later, since we do have the Irwin bill pending for consideration in the House within the next 60 days or so. She would make a choice witness for that kind of hearing -- invasion of the rights of privacy, and so forth, of Federal employees.

25X1

[REDACTED]

Shouldn't someone investigate the handling of an adverse action under Civil Service Retirement just to see whether or not we might not have a hole in this procedure -- see if we can parallel the adverse action for somebody involuntarily retired under the Civil Service Retirement System.

MR. ECHOLS: That is what we have done on this chart -- that is in the first column, blow by blow.

25X1

[REDACTED]

I haven't seen that chart. Is

there provision for counsel there?

MR. ECHOLS: No.

25X1

[REDACTED]

And it's not part of the law yet. We're

just getting in under the wire.

25X1

[REDACTED]

I don't think we would wish to be a party to giving lip service to something that isn't yet law and in which we didn't believe--

25X1

[REDACTED]

I was talking about the Commission's handling of an appeal. What does the Civil Service Commission do when it receives an involuntary retirement application from a government agency and the employee appeals? how does the Commission handle it?

MR. ECHOLS: There is no such thing.

25X1

[REDACTED]

For appealing an adverse action?

The Commission has a Board of Appeal.

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MR. ECHOLS: You mean, how do you involuntarily retire someone under Civil Service?

25X1 [] Take disability retirement -- the man you've put out on an involuntary disability retirement can appeal that determination.

25X1 [] A reduction in force--

MR. ECHOLS: But it's a medical decision in the case of disability retirement.

25X1 [] It may or may not be. Nevertheless, it's an appeal mechanism. What I don't know now is whether the individual has a right in his appeal to get counsel before the Bureau's appeal board. All I'm suggesting is we might want to take a look at that to see how close we are to that--

MR. ECHOLS: I don't want to look at it.

25X1 [] Other instances would be a reduction in force, your elimination of positions, your normal involuntary retirement--

MR. ECHOLS: But none of those are involuntary retirement. The individual loses his job, his service is discontinued, and, if eligible, then he can apply for a discontinued service annuity.

25X1 [] But he may appeal on whether his service was properly discontinued. I believe that is the procedure Ben is referring to.

25X1 [] Yes.

MR. SEELY: Well, when an individual is eligible for retirement under Civil Service and he is terminated for cause, is the action a retirement or a termination?

25X1 [] Termination.

MR. SEELY: But he is retired, isn't he?

25X1 [] Not technically -- he's terminated and then applies for retirement as a result of the action of the agency.

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MR. SEELY: But he gets his retirement benefits--

25X1

[redacted] Not if terminated for cause.

MR. ECHOLS: He gets his deferred annuity at his normal retirement date but he is not entitled to the discontinued service annuity if he is fired for cause.

25X1

[redacted] Inefficiency, downgrading, a reassignment he doesn't like -- there are lots of reasons why you might separate a man and he qualifies for a discontinued service annuity -- but not when it's for cause.

MR. ECHOLS: Now, I have three other cases here that bother me a little bit. At our last meeting somebody asked the question: How many cases are we holding of people who had asked for extensions under the 62 rule? I found three such cases: [redacted]

25X1

25X1

[redacted] In looking at their letters that they wrote in asking for extensions, some of them gave as reasons why - said, "This is not consistent with my planning" -- some hinted at financial hardship as their basic motivation in asking for further extension -- but it was quite clear that they hadn't really presented their case on a compassionate basis or anything else. It was clear to me these individuals had not been given any advice or guidance on how they ought to submit an application, or even a briefing as to whether it was appropriate to ask for it.

So, what I did, I wrote a letter to each one of these individuals, which I'd like you to take a look at and see if you think I'm going in the right direction. I would like to get these cases off the dime, where they're just sitting at the moment. These are different letters to each individual, tailored to his particular submission.

First we'll take a look at the draft memorandum addressed to [redacted]

25X1

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MR. SEELY: What is his salary now?

25X1



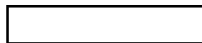
He is a GS-15, isn't he?

Well, I think that first paragraph there

is what is weak -- that it was after thorough consideration and a determination that it is sufficiently vital to the best interests of the Agency. In the case of this fellow, he's a key fellow in OBI, and they're not likely to get another man that is as thorough and as knowledgeable of his job as he himself is -- he's done a lot of top grade effort in reviewing contributions made to the NIS programs -- and there's nothing that you can tell him or his boss or the DD/I to convince them it's in the best interests of the Agency that he go.

MR. ECHOLS: Well, the fact remains that all we have is his letter to the Board requesting that he be kept in service until 1972, and he gives as one reason for it that he still has a child in college. Now if the Directorate concerned wants to come up with a case on a need for services basis -- which they have not yet done--

25X1



You can't put it on an indispensable

basis -- he is not that vital. The point is, you have a lot of good guys you could use fine -- you can't make a case that the place is going to fall apart if he leaves. But you can't make a case that it is better that he go -- that's my point.

MR. ECHOLS: My statement only refers to published Agency policy -- "...the policy has been established only after thorough consideration and a determination that it is sufficiently vital to the best interests of the Agency to expect compliance ..."

25X1



I don't think you ought to put that in a

letter, because that rings hollow in the minds of so many people. I agree with the part about the Board being set up to deal with hardship cases -- and then say, "Based on this review--" - and then go right into what you said in paragraph 2. This is a fine letter, but I would just

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stay away from this language in this first paragraph.

25X1 [] whether we agree with it or not,
it is the underlying reason for the present policy.

25X1 [] If it isn't, it ought to be -- as they
say in an old Chinese expression (laughing).

25X1 [] The policy has been established only
after thorough consideration --

25X1 [] There was no "thorough consideration" --
MR. ECHOLS: Why of course there was!

25X1 [] Well, thorough consideration means
that it was discussed at the highest management levels--

MR. ECHOLS: It certainly was.

25X1 [] But only at the highest levels.

25X1 [] would you be happy with it
if it said only after thorough consideration leading to a determination
by the DCI that--

25X1 [] All right, fine, say that, but don't
make it look like--

MR. SEELY: You mean start off with one introductory
sentence and not get into a defensive position--

25X1 [] I know three Ph. D. 's we hired away
from the academic community and that all feel this way. This is only
one of the three that wrote this letter -- there are two others in the
same category.

MR. ECHOLS: It wouldn't bother me to drop these
two sentences. I was not trying to be apologetic, though -- I was merely
trying to explain--

25X1 [] This will ring so hollow to a man like
that, or anybody else in the DD/I that reads that and that knows that the
Agency will not be better off if he leaves. Somebody else telling him

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that that is the case when "it ain't so", isn't going to make it so in his mind.

25X1

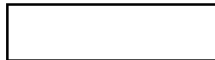


You feel it accomplishes nothing--

He will say, "Oh, well, that's just

some more of this stuff." I think if you just put it strictly on the basis that the Board deferred consideration because he raised the question so far in advance--

25X1



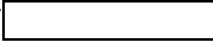
I think you could include it or pull

it out. He didn't say the Agency would be better off. I think he looks at a lot of factors. In other words, generally speaking it is better to have these people move out so that the new, young CT's can move up. You could hurt yourself, but overall it's in the best interests of the Agency.

25X1

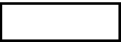
I think you (indicating  are reading something into it to say

25X1

we would be better off if  left.

25X1

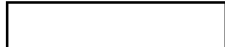


Did  put it on financial grounds?

25X1

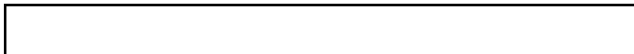
This is quite a lengthy treatment of that, if that was the basis.

25X1



He hasn't got a case on financial grounds.

25X1



MR. ECHOLS: He says: "To plan to retire

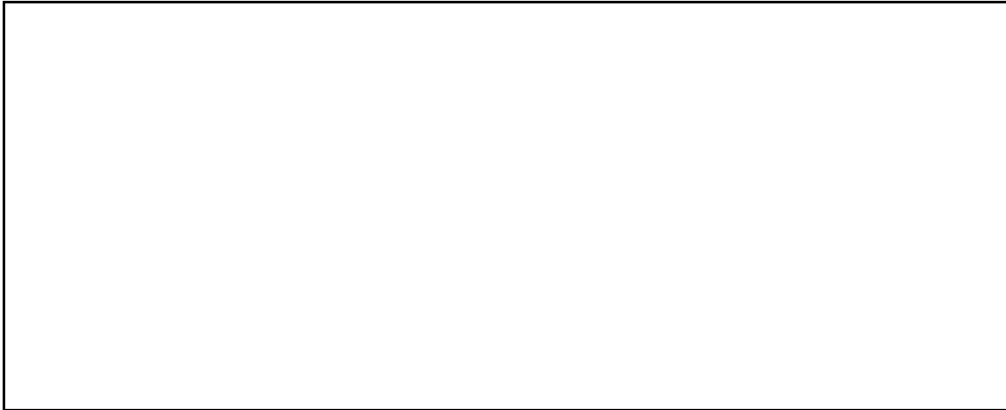
voluntarily immediately on reaching my 60th birthday, during February 1970, would face me with extremely heavy financial and personal problems, with which I shall probably be unable to cope without a substantial extension viz:

25X1

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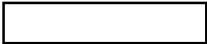
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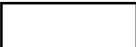
25X1



MR. ECHOLS: So I think my letter is really quite accurate in terms that the problem he presents for us is a long-range problem going seven, eight, nine years into the future. But it seems to me if he wants to teach -- and he certainly is a highly qualified individual--

25X1

 I'm saying your letter is a fine letter -- I'm just saying I don't like that first paragraph in it.

. . . . There then followed an off-the-record discussion of the  case

25X1

MR. ECHOLS: Well, I wanted to see what you thought about the way I was handling these three cases that are pending here, where the individual had written in but he had made no real compassionate presentation -- and I'm suggesting they go back and do a little more homework, and then see us before resubmitting a request for extension.

25X1

 You see, everybody agrees that this is a good policy, but I think we have to distinguish between in what cases it ought to apply . . . (inaudible) . . .

At the age of 65 it's fairly late in life to tell them that the rules have been changed -- it's just as simple as that.

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MR. ECHOLS: The rules were changed 10 years ago.

25X1

[] Its not what the rules say but how they are applied, and it wasn't until very recently that the DD/I was told he was no longer to use that authority to extend -- and constant reassurance was given ... (inaudible)... so they felt, "As far as the DD/I is concerned, we can stay longer, and we will stay longer." It was that same policy right down to two or three years ago.

I don't think the policy needs modification -- it's a good policy -- but it's the application in certain cases that doesn't make good sense. And it need not be wholly on a hardship basis.

25X1

[] That is why I feel we have to determine (what period of time) for the individuals concerned -- and to whom we have got to show some inducement to retire that is fair under the circumstances, if we're going to insist that they retire at that age. I think if we could find that group who have this type of an argument, who cannot get in a full 30 years of service by age 60, and try to accommodate them, so that when they leave us they leave without a sour taste in their mouth -- and one that can be sustained because it is consistent with a good, reasonable rationale.

25X1

[] You gave us the dope on all of those ... (inaudible)... and asked those fellows, and their conclusion was you shouldn't try to find a group, that those that want to go or will go, fine, but that we ought to deal with these others on a case by case basis. That's the way our Directorates feel.

25X1

[] Don't you feel from the feedback we have had that we are sort of being asked to implement the present policy? And I have a feeling that we face getting it thrown back at us at this point unless there is an awfully good reason for requesting an extension.

So, we get back to [] -- and I still think, 25X1
as Emmett has implied, that when you (indicating [] have the 25X1

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25X1 opportunity - when [] comes to you and says, "I'm supposed to look you up--

25X1 [] I have talked to him - three times!
Then if you wrote back and said that he's awfully hard to replace -- whatever argument given us -- then we could find a basis for recommending an extension. But if you can't do that, then going by the policy we don't really have any choice--

25X1 [] If you're leaving it up to the individual to make his own case--

MR. ECHOLS: I have another piece of business I'd like you to rubber-stamp for me -- one of our 62/60 cases -- it's ready to go, and in that letter we advised him his retirement date - because of the belated notice gave him two years -- that it be postponed until June 30, 1969. I have a request from him ...(inaudible)... 31 July 1969. Will you all agree to a further one month extension, so that it's 31 July 1969? (The Board members indicated they agreed to the extension to 31 July 1969.)

Anything else? You can see these other two letters, if you like. (Referring to letters to [] 25X1

25X1 []

25X1 [] They're in the same vein as [] 25X1
letter?

MR. ECHOLS: Exactly the same vein, yes.

MR. SEELY: On the [] case, you (indicating 25X1
Mr. Echols) said you were going to suggest that the validity of these various legal arguments he has brought up be ascertained by the General Counsel. Suppose the General Counsel comes up and says, "Yes, he has valid legal arguments here" -- then what?

25X1 [] Where does the survey by the Directorates stand?

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MR. ECHOLS: I haven't the slightest idea. [redacted]

25X1

25X1

[redacted] was doing it for the DD/S elements -- but whether they've pulled this report together, I don't know.

Paul, have your people submitted a formal report yet?

25X1

[redacted] No. I'm still trying to get machine runs out of your office. It's so hard to get data on some of that stuff. It takes time.

MR. ECHOLS: But that is no fault of my office--

25X1

[redacted] Oh no!

We can't get good dope rapidly. We haven't even got a T/O on one. It's all mixed up with ... (inaudible)... and we can't^{get}/good quantitative data. So we are doing quite a bit of hand work -- which takes a little longer.

. . . The meeting adjourned at 3:40 p.m. . . .

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